

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 8/7/2020

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HERBIE HAMILTON, INDIVIDUALLY AND :
ON BEHALF OF ALL OTHERS SIMILARLY :
SITUATED, :

Plaintiff, :

-against- :

ORGAIN, INC., :

Defendant. :
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20-cv-1084(VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS the parties appeared for an initial pretrial conference on August 7, 2020;

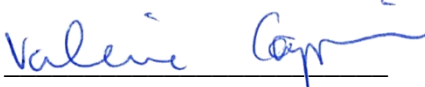
IT IS HEREBY ORDERED that Defendant's motion to dismiss (Dkt. 19) the Complaint is denied as moot. Plaintiff must file a redlined version of his Amended Complaint (Dkt. 27) no later than **August 11, 2020**.

IT IS FURTHER ORDERED that Defendant's answer or response to the Amended Complaint is due no later than **September 2, 2020**. If Defendant moves to dismiss the Amended Complaint, Plaintiff's response is due no later than **October 6, 2020**, and Defendant's reply is due no later than **October 23, 2020**. The Court will refrain from entering a formal case management plan until it has assessed the likelihood of success of any motion to dismiss.

The Clerk of Court is respectfully directed to close the open motion at docket entry 19.

SO ORDERED.

Date: August 7, 2020
New York, New York


VALERIE CAPRONI
United States District Judge